

Representative **Toby Nixon**
45th Legislative District

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2004 Legislative Session Report

45th Legislative District

Representative
Toby Nixon

P.O. Box 40600
437 John L. O'Brien Building
Olympia, Wash. 98504

Opportunities for 2005

A small fraction of the bills introduced in a legislative session make it all the way through the process to become law – and there's no guarantee a bill will succeed just because it does something helpful. Here are a few of the bills I was proud to introduce this year. However, for one reason or another they must wait for another session:



Helping victims break free: Victims of domestic violence shouldn't be forced to stay with their abusers just because they can't afford to leave. I introduced House Bill 1949 to let judges, under certain conditions, order an alleged abuser to pay temporary financial assistance to the alleged victim. It would have provided a way for victims to avoid having to use public benefits to support themselves and their children until a more formal support hearing can be held. The judge could also order alleged abusers to not liquidate their assets before such a hearing – something that often happens. The House unanimously adopted the bill as part of a package of domestic violence legislation. However, it did not receive Senate approval.

Accountability for all: Working with Rep. Ruderman, I introduced a bill to make it absolutely clear that law enforcement officers who cause traffic accidents can be cited like any other motorist. House Bill 3211 stemmed from the case of a Woodinville man who was struck and killed by an off-duty Washington State Patrol trooper two years ago. State law already allows law enforcement officers to be cited for traffic accidents for which they are at fault, even while on duty, and for those accidents to be reported on their driving record. The legislation would simply spell out that fact. It received a public hearing but not a committee vote, and will be reintroduced next year.

Keeping patients informed: The state Department of Health maintains a cancer registry containing information about Washington cancer patients and their treatment. A Woodinville mom and two-time cancer survivor, Darla Eastman, contacted my office after she was surprised to learn that data about her is in the database. I introduced House Bill 2404 to require that whenever someone's information is entered, the contractor entering the data will send that person a letter informing them about the registry and its purpose. The bill received House approval but stalled in the Senate.

Committees:

- Technology, Telecommunications & Energy – *Assistant Ranking Republican*
- Transportation
- State Government
- Joint Administrative Rules Review Committee
- Joint Legislative Systems Committee
- Vice Chair, House Republican Caucus

Olympia office:

437 John L. O'Brien Building
P.O. Box 40600
Olympia, Wash. 98504-0600

Telephone:

360-786-7878 or
1-800-562-6000 (Legislative Hotline)

E-mail: Nixon_to@leg.wa.gov

Internet page:

[http://hrc.leg.wa.gov/
members/nixon.htm](http://hrc.leg.wa.gov/members/nixon.htm)

Legislative information on the Internet:

www.leg.wa.gov

State government on the Internet:

www.access.wa.gov

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More opportunities for students

"Opportunity" is the word to describe the Legislature's action on education issues. The new supplemental operating budget funds 3,000 additional higher education slots, including slots in high-demand fields, giving our high school graduates and employers more opportunity to compete in the new economy.

Charter schools: After many years of work, Washington has become the 42nd state to authorize the development of charter schools. In a limited six-year pilot project, up to 45 charter schools statewide will offer students more options, personal attention, second chances, and smaller class sizes. Authority and oversight will remain with the locally elected school board, contracting out to for-profit companies is not permitted, and the decision to enroll a student in a charter school belongs to the parent or guardian.

WASL changes: Legislators also agreed on significant changes to how the Washington Assessment of Student Learning is used. What students are expected to know to meet state academic standards for graduation will be made clear. Students will have the opportunity to take the WASL up to four times and can use alternative means of showing they meet academic standards if needed. And if a student isn't meeting requirements early on, parents and teachers will work together to develop a graduation plan.

School funding: I co-sponsored House Bill 2955 to create a joint task force on financing K-12 education. It didn't pass, but inspired creation of a workgroup of House members that is studying education funding and how it's aligned with education goals.

I helped pass House Bill 2044, which changed the levy base calculations for school districts. The new law allows school districts with voter-approved levies to collect all of the money voters authorized under the levy, even if state or federal funding to the district falls short of expected levels.

SR 202 widening back on track

During rush hour I think it would be faster to walk along State Route 202 between SR-520 and Sahalee Way than to drive. I know the state transportation agencies wanted to make up for transportation funding lost because of Initiative 776 (\$30 license tabs), but I was amazed they would propose delaying the project to widen that stretch of the highway, especially when it was supposed to begin in April.

As a member of the House Transportation Committee, I was able to make sure the \$17.6 million needed for the SR 202 widening in 2003-05 was restored, in the supplemental transportation budget the Legislature adopted. This project will make critical safety and environmental improvements commuters have wanted for a long time. I look forward to seeing it through to its completion.

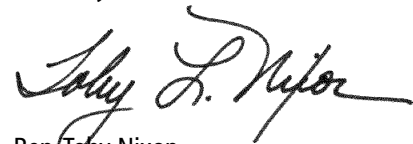
Dear friends,

It's said that governing is about the art of compromise. A lot of compromising took place during the recent legislative session in Olympia, and more often than not, it led to progress on important issues that were before us – such as education, health care, public safety and our state's primary election system. This newsletter offers a snapshot of the work we did during those 60 days.

It has been a great privilege to serve as your state representative these past two years. I appreciate all your calls, letters and e-mails, and I am especially honored when you leave your homes to visit with me as so many people did several weeks ago during my town hall meetings in Kirkland, Redmond and Duvall (and if you missed me then, I'll be in Carnation and Woodinville on May 22).

It's nice to be back home from the session. I'll be out around the district a lot in the coming months, talking with people. If you see me, please take a moment to say hello, and share your thoughts with me. Also, you can reach me through my legislative e-mail address, contact me on MSN Messenger (toby Nixon@hotmail.com), get a message to me via the toll-free legislative hotline, or put a letter in the mail to me. I am honored to serve as your representative and always ready to help!

Sincerely,



Rep. Toby Nixon

P.S. – Because this is an election year, state law says I can't send you another newsletter like this until after the November election. However, I am allowed to correspond with you about specific issues, so don't hesitate to get in touch!



I was raised with help from public assistance like food stamps and free school lunches, and shared that experience when asking my fellow House members to pass a measure aimed at reducing hunger by giving low-income families and children more access to food. I applaud Washington Citizen Action, who honored me with their SHINE award, for their efforts to help the Act for Hungry Families to become law.

Creating jobs and restoring trust

Last year's legislative session brought groundbreaking reforms aimed at preserving and creating jobs. Much of that momentum was lost this session, and the regulatory relief I'd hoped to see didn't materialize. But a few important steps were taken that should make our state more competitive, and the supplemental budget legislators adopted show the priorities set last year have not been forgotten.



Renewed incentives for high-tech employers: As one of the leaders of the House Technology, Telecommunications and Energy Committee, I was glad the legislature renewed a set of tax credits associated with research and development and pilot-scale manufacturing in high-technology industries.

Hundreds of small high-tech firms across Washington have benefited from the tax credits and exemptions, which also are vital for supporting industries like advanced computing, semiconductors and biotechnology. The incentives, created in 1994, would have expired this year without legislative action.

Holding the line on taxes: The Legislature made adjustments to the state's two-year operating budget by passing what is called a "supplemental" budget. This year legislators added \$145 million to care for our state's most vulnerable citizens in nursing homes, on children's Medicaid, and with developmental disabilities. The revised budget doesn't require a tax increase, but it also doesn't leave much in reserve: less than \$300 million, which is a bare minimum for dealing with emergencies, emerging needs and revenue changes between now and July 2005.

Also, the extra spending in the new supplemental budget increases the expected budget deficit facing the next Legislature to about \$1 billion – which could mean either cuts in services or new taxes to balance the 2005-07 budget.

Addressing the health care/liability crisis

Besides driving health care providers to close their practices, which limits access to health care, the lack of availability and rising cost of liability insurance has hampered employers, cut into local government budgets and, on the Eastside, virtually halted construction of condominiums.

The Legislature took action to help condominium builders, but otherwise, the House and Senate couldn't come to terms on the real, comprehensive reform our economy and employers need. This needs to be a higher priority in 2005.



No-frills coverage beats no coverage: Employers are an important source of access to health care, but less than half of our state's small businesses can afford health care coverage for their employees. That's because our state requires health care plans to cover 47 mandatory services – in Idaho, by comparison, it's only 7 mandates.

Besides preventing employers who want to offer health coverage from doing so, this also puts employers who can no longer afford "the works" in the position of either dropping health coverage for employees or asking employees to pay higher premiums.

The solution is to let carriers offer a more affordable basic plan in addition to a gold-plated plan, to help employers find something in their price range. The Legislature adopted House Bill 2460, which reduced some requirements, but it didn't go nearly far enough.

Help for seniors: I helped pass House Bill 2354, which gives senior citizens back their cost break on Medicare supplement insurance – a savings in some cases of as much as \$100 a year.

Bad news for those who hurt children

If we had to shut down the rest of government because all we could afford to do is to apprehend, prosecute and incarcerate those who would sexually abuse our children, that's what we should do. I'm glad the Legislature came through with tougher penalties for sex offenders this year, but disappointed that the compromise bill we passed was watered down by concerns about the cost.



The original version of House Bill 2400, which I supported, would have instituted mandatory prison sentences for certain sex crimes against children. The revised act makes major revisions to the state's Special Sex Offender Sentencing Alternative law (SSOSA), which in the past has allowed offenders to serve only up to six months in jail and then enter state-supervised treatment in the community. Now it will be more difficult for sex offenders to qualify for the SSOSA program, and those who do will be on a shorter leash when they are in our communities.

Safer schools: Senate Bill 5533, which takes effect June 10, strengthens protections against teachers and coaches who prey on children.

Missed opportunities: Unfortunately, the 2004 session didn't bring approval of stronger penalties to deter auto theft (I introduced a similar bill in 2003), and methamphetamine manufacturing still isn't a "strike" under the state's "Three Strikes, You're Out" law.

A new primary for Washington voters

This session we had to come up with a replacement for the popular "blanket" primary system used in Washington since 1935, which allowed every voter to select from all candidates regardless of party. The state's major political parties successfully sued to get rid of that system, claiming it violated their constitutional rights of association and speech.



I had hoped serious consideration would be given to a system known as "ranked" or "instant runoff" voting, because I believe it would answer the concerns surrounding the primary. Instead, the replacement will be an "open" primary like that used in Montana.

Unlike the blanket primary, the open primary requires voters to choose the ballot of a single party on election day, and all candidates a voter selects for partisan offices must be with that political party. However, it continues the tradition of giving all major parties a place on the November ballot. Your voting decisions, including which party ballot you choose, are still kept private, and you won't have to formally register as a member of a political party.

The Legislature had passed a "Top Two" style of primary by a narrow margin. Governor Locke doesn't like the Top Two system and indicated to me right after the session ended that only part of the bill would become law. Sure enough, he vetoed the corresponding sections and made the open primary system — the backup plan in the bill — the new law.

Because I expect the governor's decision to be challenged, it's hard to say what September will bring. We'll all have to stay tuned.

Renewable energy gains a foothold

I firmly believe expanding the diversity of our energy sources and the availability of energy from local, renewable sources will bring many benefits, but this wasn't the session for a comprehensive "green power" agenda.

I co-sponsored bills that would promote renewable energy primarily through tax incentives. These included tax incentives for utilities that would meet a renewable energy or energy-efficiency standard; a tax exemption for fuel cells; tax deferrals for wood biomass fuel investment projects; tax incentives to persuade utilities to obtain more of their power from renewable sources; a tax exemption for biodiesel fuel; and tax incentives for solar energy. I also supported legislation requiring private electric utilities to do "integrated resource planning" like public utilities do, which can lead to significant development of renewable energy and energy efficiency. Some of these bills received committee approval but none gained support from the full House.

However, the Legislature did take a step with a new law encouraging public and private collaborative initiatives to promote renewable energy and energy efficiency. The Washington Technology Center, based at the University of Washington, and its Northwest Energy Technology Collaborative Project will act as a forum for such initiatives.

